

**WOOD, HERRON & EVANS, L.L.P.**

BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, PH.D.

OF COUNSEL  
JOHN D. POFFENBERGER  
THOMAS W. FLYNN

2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD	1923-1969
TRUMAN A. HERRON	1935-1976
EDWARD B. EVANS	1938-1971

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.  
KATHRYN E. SMITH  
KRISTI L. DAVIDSON  
P. ANDREW BLATT, PH.D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, PH.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
WESLEY L. STRICKLAND (VA, DC BAR ONLY)  
STEVEN W. BENINTENDI, PH.D.  
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS  
HENRY M. LABODA, PH.D.

August 16, 2004

**FACSIMILE COVER SHEET**

To: Examiner Dhirubhai R. Patel

From: Gregory J. Lunn

Fax: 571-273-1983

Re: Our File: BLGR-05CP1

Pages: 5 (including cover sheet)

**MESSAGE/COMMENTS**

Attached please find the PTO-1449 for U.S. Patent Application Serial No. 10/658,546,

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

Sheet 1 (A) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. BLGR/05CP1	SERIAL NO. 10/658,546								
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (37 CFR 1.98(b)) (Use several sheets if necessary)				APPLICANT Michael Vagedes									
				FILING DATE September 10, 2003		GROUP 2831							
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	A.A	3	8	9	5	7	3	2	07/22/75	Robinson et al.			02/01/74
	A.B	3	9	0	6	1	4	5	09/16/75	Carmichael			08/30/73
	A.C	4	0	3	6	3	8	9	07/19/77	Pate et al.			08/25/75
	A.D	4	2	2	6	3	9	3	10/1980	Rardub et al.	173	58	
	A.E	4	3	2	3	7	2	3	04/08/82	Fork et al.			04/04/80
	A.F	4	3	2	7	8	4	1	05/04/82	Wimberly			10/17/80
	A.G	4	7	2	6	1	5	2	02/23/88	Vagedes et al.			11/24/86
	A.H	4	8	5	4	0	9	3	08/08/89	Kellom			09/02/88
	A.I	4	8	7	5	3	1	8	10/24/90	MacLeod et al.			05/10/88
	A.J	4	9	2	0	7	0	8	05/01/90	MacLeod et al.			05/05/89
	A.K	5	0	0	0	4	0	9	03/19/91	MacLeod et al.			12/04/89
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER						PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	A.L												
	A.M												
	A.N												
	A.O												
	A.P												
	A.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	A.R												
	A.S												
	A.T												
EXAMINER									DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.													

Substitute Disclosure Form (PTO-1449)

Sheet 2 (B) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. BLGR/05CP1		SERIAL NO. 10/658,548							
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Michael Vagedes									
(37 CFR 1.98(b)) (Use several sheets if necessary)				FILING DATE September 10, 2003		GROUP 2831							
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	B.A	5	1	3	3	1	6	5	07/28/92	Wimberly			03/22/81
	B.B	5	2	2	1	8	1	4	6/1993	Colbaugh et al.	174	66	
	B.C	5	3	2	6	0	6	0	07/05/94	Chubb et al.			04/18/94
	B.D	5	4	8	6	6	5	0	01/23/96	Yetter			11/15/93
	B.E	5	5	4	9	2	6	6	08/27/98	Mitchell et al.			04/22/94
	B.F	5	5	7	7	7	0	2	11/28/96	Chubb et al.			12/30/94
	B.G	5	5	7	8	7	9	1	11/26/96	Bosse, Jr.			05/12/94
	B.H	5	5	9	8	6	7	0	02/04/97	Humphrey et al.			08/16/94
	B.I	5	7	2	2	2	0	8	03/03/98	Humphrey et al.			10/10/96
	B.J	5	7	7	5	0	3	2	07/07/98	Lacy			05/19/97
	B.K	5	8	0	4	7	6	4	09/08/98	Gretz			03/24/95
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER						PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	B.L												
	B.M												
	B.N												
	B.O												
	B.P												
	B.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	B.R												
	B.S												
	B.T												
EXAMINER									DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.													

Substitute Disclosure Form (PTO-1449)

Sheet 3(C) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. BLGR/05CP1		SERIAL NO. 10/658,546								
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)				APPLICANT Michael Vagedes										
				FILING DATE September 10, 2003		GROUP 2831								
U.S. PATENT DOCUMENTS														
EXAMINER INITIAL		PATENT NUMBER			ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE					
	C.A	5	9	2	0	0	3	3	07/08/99	Bosse, Jr.				10/16/96
	C.B	5	9	5	2	6	1	0	09/14/99	Bosse, Jr.				08/19/97
	C.C	5	9	6	5	8	4	4	10/1999	Lippa	174	49		
	C.D	6	0	5	1	7	8	6	01/18/00	Gretz				01/03/98
	C.E	6	1	1	2	9	2	7	09/05/00	Gretz				11/12/98
	C.F	6	1	3	3	5	2	4	10/17/00	Bosse, Jr.				04/22/99
	C.G	6	1	4	1	9	2	2	11/07/00	Carlisle et al.				06/03/98
	C.H	6	1	8	8	0	2	2	2/2001	He	174	58		
	C.I	6	2	3	9	3	6	8	05/28/01	Gretz				01/17/00
	C.J	6	2	6	8	5	6	3	07/31/01	Gretz				08/13/99
	C.K	6	3	0	3	8	5	8	10/18/01	Bosse, Jr.				08/28/00
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS														
		DOCUMENT NUMBER			PUBLICATION DATE		COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS	TRANSLATION (YES/NO)			
	C.L													
	C.M													
	C.N													
	C.O													
	C.P													
	C.Q													
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)														
	C.R													
	C.S													
	C.T													
EXAMINER							DATE CONSIDERED							
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.														

Substitute Disclosure Form (PTO-1449)

Sheet 4 (D) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. BLGR/05CP1		SERIAL NO. 10/658,546							
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Michael Vagedas									
(37 CFR 1.98(b)) (Use several sheets if necessary)													
				FILING DATE September 10, 2003		GROUP 2831							
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	D.A	6	3	1	0	2	8	7	10/30/01	Schiedegger et al.			06/29/99
	D.B	6	3	2	3	4	2	4	11/2001	He	174	58	
	D.C	6	3	5	5	8	8	2	03/12/02	Grebz			02/23/01
	D.D	6	3	5	9	2	2	0	03/19/02	Schiedegger et al.			02/21/01
	D.E	6	4	1	7	4	4	7	07/09/02	Bosse, Jr.			10/10/01
	D.F	6	4	2	9	3	7	1	08/06/02	Schiedegger et al.			03/28/01
	D.G	D	3	4	5	8	2	5	02/01/94	Enderby			08/21/91
	D.H												
	D.I												
	D.J												
	D.K												
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER						PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	D.L												
	D.M												
	D.N												
	D.O												
	D.P												
	D.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	D.R												
	D.S												
	D.T												
EXAMINER									DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.													

Substitute Disclosure Form (PTO-1449)